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HEALTH AND ENVIRONMENTAL SCIENCES

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Solid and Hazardous Waste Bureau

Underground Storage Tank Program

MARC RACICOT, GOVERNOR (406) 444-5970

FAX # (406) 444-1499



STATE OF MONTANA

OFFICE LOCATION 836 Front Street
Helena, Montana

MAILING ADDRESS: Cogswell Building
Helena, MT 59620

July 20, 1993

CERTIFIED MAIL # - RETURN RECEIPT REQUESTED

Andrew J. and Robert S. Utick
1150 11th Ave.
Helena, MT 59601

SUBJECT: NOTICE OF VIOLATION. FACILITY ID# 25-13141, 101 W. Main, East Helena

Dear Mr. Utick:

When an inspection was conducted on March 24, 1993 at the facility referenced above, the following violations of the Montana Underground Storage Tank Rules were noted. This letter is to inform you of the conditions that will need to be corrected to bring the facility into compliance with the law.

The following is a list of the specific steps that you are required to take and the time within which you will need to have the violations resolved:

WITHIN 10 DAYS:

1. Notification Form. You must submit a notification form to the Department that lists all the tanks at this facility in accordance with ARM 16.45.901. The enclosed Notification Form must be completed and returned to the Department within 10 days of receipt of this letter.

WITHIN 30 DAYS:

1. Closure Permit. Since the tanks are no longer in use, you need to determine whether the tanks and/or piping systems are empty. Then, the tanks must be removed or closed in accordance with ARM 16.45.702 and 703. You must obtain a closure permit and follow proper and prior-approved closure procedure. You must complete the enclosed closure permit application and return it to the Department within 30 days of receipt of this letter.



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It is important that you be aware that it is a violation of state and federal law not to have registered the tanks and piping at this facility. It will also affect your eligibility for remediation coverage under the Montana Petroleum Tank Release Compensation Fund in the event that a release of product occurs at the facility.

Be sure to complete these requirements within the time periods given above. Montana Underground Storage Tank Rules may be found in Title 16, Chapter 45, Sub-Chapters 1 through 12 of the Administrative Rules of Montana. If you have any questions, or if you need clarification of the above requirements, please feel free to contact me at 444-5970 and I will be glad to discuss the requirements with you.

Sincerely,



Theresa J. Blazicevich
Environmental Specialist

Enclosures: Tank Management and Operation Rules
Notification Form
Closure Package

cc: Vivian Drake and Howard Reid, Lewis and Clark County Health
Jean Riley, PTRCB
Cassandra Noble, Legal Unit